

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )                      Case No. 1:18CR00171 JAR  
                                )  
GABRIEL SANTOS-CAPORAL, )  
                                )  
Defendant.                 )

**MEMORANDUM AND ORDER**

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Abbie Cries-Leoni (ECF No. 24). On November 28, 2018, Defendant Santos-Caporal filed a Motion to Dismiss Indictment (ECF No. 20). Magistrate Judge Crites-Leoni recommends the Court Defendant's Motion to Dismiss Indictment.

Pursuant to 28 U.S.C. § 636(b), these matters were referred to United States Magistrate Judge Abbie Crites-Leoni, who filed a Report and Recommendation on January 9, 2019 (ECF No. 24). Defendant Santos-Caporal filed an objection to the Report and Recommendation on January 10, 2019 (ECF No. 26). Defendant Santos-Caporal summarily states that he objects to the conclusion drawn by Magistrate Judge Crites-Leoni, but fails to provide any countervailing rationale for his position. The Court finds that the Magistrate Judge's conclusion is supported by the evidence, and Defendant Santos-Caporal's objection is not persuasive.

The Magistrate Judge recommends that the Motion to Dismiss (Doc. No. 20) be denied. After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge [24] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

**IT IS FURTHER ORDERED** that the Motion to Dismiss Indictment [20] is **DENIED**.

Dated this 6<sup>th</sup> day of February, 2019.



John A. Ross  
JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE